

REMARKS

1. Summary of the Office Action

Claims 1-4 and 6-10 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. patent no. 5,670,730 (hereinafter "Grewe et al.").

2. Response to § 102 Rejections

Applicants respectfully traverse this rejection for the reasons set out below, and ask the Examiner for reconsideration.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Grewe teaches a system in which music files are arranged track-by-track. Each file is provided with individual headers 36 that include category, artist, and track address information (Figures 2-4 and col. 3 from ln. 29 onwards) associated with the particular track. The track address information is used to identify the start and/or end location of the file, so that the music player can locate and play the file. Clearly, the tracks are **arranged in a track-by-track fashion** and not based on the individual header 36. As can be seen from the description and in particular Figs. 3 and 4, the table of contents 34 is nothing more than a sequential list of the individual headers, ordered track-by-track, one after the other. The category information (see category field 40) and the artist information (see artist field 42) are thus **dispersed**. Thus, it is not readily apparent which set of tracks is in which genre or which set of tracks is performed by one particular artist.

Claim 1, as amended, reads as follows:

“1. A method, performed by a processor in a digital media player, for filing media tracks stored on a computer-readable medium, with each media track having attribute data for identifying attributes of the track, said method comprising:

reading a definition file that defines an ordered hierarchical tree structure having a plurality of branches, with **the hierarchical tree structure including category names for naming branches under which tracks are sorted**, subcategory names for defining subcategories within the branches, and structure information defining the hierarchy of branch names and subcategory names; and

for each track, **determining**, based on the attribute data associated with the track **if the track belongs in one or more of the branches**, and, for each branch in which the track belongs, **filing the track under one or more subcategories**”

Claim 1 includes the limitation of a “**hierarchical tree structure including category names for naming branches under which tracks are sorted**”

Firstly, Grewe does not teach or suggest “**reading a definition file** that defines an ordered hierarchical tree structure having a plurality of branches, with **the hierarchical tree structure including category names for naming branches under which tracks are sorted**, subcategory names for defining **subcategories** within the branches, and structure information defining the hierarchy of branch names and subcategory names.” In Grewe, the tracks are not sorted according to category names that are provided in a branch but rather in sequential blocks of memory locations. There is no hierarchical relationship between the category field 40 or the artist field 42 with a particular track and any hierarchy in Grewe.

Secondly, as the tracks in Grewe are filed sequentially in memory according to track number, the limitation of claim 1 of “for each track, **determining**, based on the attribute data associated with the track **if the track belongs in one or more of the branches**, and, for each branch in which the track belongs, **filing the track under one or more subcategories**” is also not described or even suggested in Grewe.

In view of the above, it is submitted that Grewe does not describe or even suggest all the limitations of claim 1. Accordingly, claim 1 is allowable and, as claims 1-4 are dependent upon claim 1, they are also allowable.

Claim 9, as amended, also includes the limitation of “reading a definition file that defines an ordered hierarchical tree structure having a plurality of branches, with **the hierarchical tree structure including category names for naming branches under which tracks are sorted.**” Claim 9 also includes the limitation wherein, for each track, “**determining**, based on the attribute data associated with the track, **if the track belongs in one or more of the branches**, and, for each branch in which the track belongs, **filing the track under one or more subcategories.**”

Accordingly, in view of the remarks above, it is submitted that claim 9 is also allowable.

Claim 6, as amended, reads as follows:

“6. A method, performed by a processor in a digital media player, for filing media tracks, stored on a computer-readable medium, under categories in a tree structure, with each media track having attribute data identifying attributes of the track associated therewith, the attribute data including category name data, said method comprising:

upon startup or when a track is added or changed, searching the attributes of each track;
and

for each track, automatically **filing the track by category name** under each selected category associated with the attributes to form an hierarchical track filing scheme.”

Claim 6 includes the limitation of “for each track, automatically **filing the track by category name** under each selected category associated with the attributes to form an hierarchical track filing scheme.” This limitation is also not described or even suggested in Grewe that files tracks sequentially track-by-track. The filing system of Grewe merely appends each individual header 36 to the last individual header 36 in the table of contents 34 so that tracks having a common category field 40 or a common artist field 42 are **dispersed** (see

Figures 3 and 4). Grewe does not describe, or even suggest, “for each track, **filing the track by category name under each selected category**” as claimed in claim 6.

In view of the above it is submitted that claim 6 is allowable and, as claims 7 and 8 are dependent upon claim 6, they are also allowable.

Claim 10, as amended, also includes the limitation of, for each track, “**automatically filing the track by category name under each selected category to form an hierarchical track filing scheme.**” Accordingly, in view of the remarks above, it is submitted that claim 10 is also allowable.

Claim 11 reads as follows:

“11. A method of arranging media information relating to media tracks stored on a computer-readable medium, the method comprising:

reading a media definition file that includes a plurality of categories, wherein **each category groups tracks having corresponding attributes** associated with the media tracks; and
for each track,

identifying a plurality of attributes associated with the track;

identifying a category associated with each attribute; and

grouping the track within each category that has been identified.”

Claim 11 includes the limitation of “reading a media definition file that includes a plurality of categories, wherein **each category groups tracks having corresponding attributes** associated with the media tracks.” This limitation is also not disclosed in Grewe that merely arranges tracks in a sequential order resulting category fields 40 and artist fields 42 that are **dispersed** and not grouped as claimed in claim 11.

The above limitation in claim 11 must also be read in conjunction with the grouping operation performed for each track. In particular, claim 11 includes the limitation of, for each track, “**grouping the track within each category that has been identified.**” Grewe does not

group tracks within a category but merely identifies a category associated with the track. Further, the category field 40 and artist field 42 are dispersed in Grewe.

In view of the above it is submitted that claim 11 is allowable. As claims 12-20 are dependent upon claim 11, they are also allowable.

Claim 21 reads as follows:

“21. A method of displaying media information on a display screen, the media information relating to media tracks stored on a computer-readable medium, the method comprising:

retrieving display data for display on the display screen from a media definition file that includes a plurality of categories, each category corresponding to an attribute associated with the media tracks, the **display screen layout being based on the plurality of categories**; and

for each track, **displaying the track under each category with which it is associated.**”

Grewe does not even mention that information can be displayed on a display screen. Accordingly, Grewe does not describe or even suggest the limitations of a **“display screen layout being based on the plurality of categories**; and for each track, **displaying the track under each category with which it is associated.**”

In view of the above it is submitted that claim 21 is allowable and, as claim 22 is dependent upon claim 21, it is also allowable.

Claim 23 reads as follows:

“23. A method of arranging media information relating to media tracks stored on a computer-readable medium, the method comprising:

identifying a plurality of attributes associated with a media track;

identifying at least two categories, each identify category corresponding to an attribute;

and

providing a link to the track in each of the categories identified to provide a plurality of links in each category that identifies a plurality of tracks associated with the category.”

The limitation of **“providing a link to the track in each of the categories identified to provide a plurality of links in each category that identify a plurality of tracks associated with the category”** is not described or even suggested in Grewe. Accordingly, claim 22 is also allowable.

In light of the above, Applicants respectfully submit that the rejection under 35 U.S.C. § 102 has been also been overcome, and withdrawal of this rejection is therefore respectfully requested.

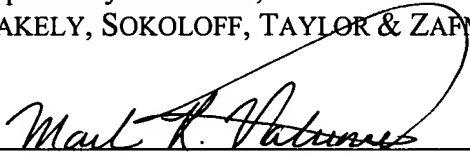
3. Conclusion

Having tendered the above remarks and amended the claims as indicated herein, Applicants respectfully submit that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Garth Vivier at (408) 947-8200 ext. 245.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 1/29, 2004


Mark Vatuone
Reg. No. 53,719

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 947-8200